

**MINUTES OF THE PLANNING COMMISSION
UPPER POTTS GROVE TOWNSHIP**

October 22, 2012

The regular meeting of the Upper Pottsgrove Planning Commission was held on Monday, October 22, 2012, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Elwood Taylor, Herb Miller and William Hewitt present. Also present were Township Solicitor Charles Garner, County Planner Michael Narcowich, Township Manager Jack Layne and Recording Secretary Michelle Reddick. The meeting was called to order by Chairman Taylor at 7:03 p.m. There were 5 people in the audience.

APPROVAL OF MINUTES – A motion by Hewitt, seconded by Miller, to approve the minutes of August 13, 2012, as written. All aye votes.

ZHB #3-12 LAMAR ADVERTISING OF PENN, LLC – Mary Beth Eshbach from Lamar Advertising of Penn, LLC was present to discuss their application. She explained that they had applied for a permit to erect an off premise advertising sign on the property located at 1160 Commerce Drive, the permit was denied and so they applied to the Zoning Hearing Board for a special exception and several variances. She further explained that their attorney was unable to attend tonight's meeting, but she would try to answer any questions that were not of a legal matter. In response to a request from Mr. Taylor, Mrs. Eshbach provided photos of the proposed sign and what it would look like from both directions on Route 100. She explained that the proposed sign would be a 14 foot by 48 foot digital sign, and the total height of the sign including the base would be 50 feet. In response to a request from Township Solicitor Charles Garner, Mrs. Eshbach briefly reviewed the different variances requested in the application. County Planner Mike Narcowich advised that the County would defer to the Township Solicitor on any legal issues, and noted that there is not really any established case law on LED signs. However, since Upper Pottsgrove is part of the Regional Planning Commission, if there are enough other areas in the region that allow LED digital signs, then the Township may have an argument there. He further noted some of the other concerns could be the dwell time of the sign, the glare from the sign and making sure to avoid sign clutter by not allowing bunching of signs. In response to a question from Mr. Taylor, Solicitor Garner advised the ordinance does not allow the size of the proposed sign but rather limits the size of the sign to 160 square feet. In response to some of the concerns expressed by the County, Mrs. Eshbach advised that animated signs are prohibited by State law, and the dwell time for the proposed sign would be 10 seconds. Mr. Taylor noted some of his concerns would be safety issues, effect on neighboring properties, size and location of the proposed sign, the distance from other signs and brightness of the proposed sign. Mrs. Eshbach explained that the brightness if set at the time the sign is erected and is typically .3 foot candles over ambient light and has automatic dimmers for nighttime. Mr. Hewitt expressed concern regarding safety issues with the third lane of traffic merging onto Route 100 in this area. Solicitor Garner advised the Planning Commission really needs to decide whether they want to recommend allowing an LED digital sign in a zoning district where it is not permitted. He noted that billboards are permitted by special exception in the Limited Industrial District. He advised that the Planning Commission may also just advise the Zoning Hearing Board to consider their concerns and not make a recommendation at all. **Diana Updegrave, 1404 Farmington Avenue**, advised that the Township definitely needs to be concerned about the effects of the proposed sign on neighboring properties. Mr. Narcowich advised that another

ZHB #3-12 LAMAR ADVERTISING OF PENN, LLC (cont'd.) - municipality did allow an LED digital sign along Route 202 just south of West Chester but with conditions for buffers and landscaping to soften the effect the sign. A motion by Hewitt, seconded by Miller, to recommend to the Zoning Hearing Board they consider the following issues: (1) the safety issues that could arise with the third lane of traffic merging onto Route 100 north in this area; (2) the impact of the sign on neighboring properties; (3) the distance of the sign from other signs; (4) the size and height of the sign; (5) the location of the sign; (6) the light intensity of the sign; (7) the graphics on the sign; (8) the dwell time of the sign; and (9) the movement of images on the sign. All aye votes.

ADJOURNMENT – A motion by Miller, seconded by Hewitt, to adjourn the meeting at 7:40 p.m. All aye votes.

Respectfully submitted,

Michelle L. Reddick
Recording Secretary